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(iii) Existing local policies, programs, practices, service providers, and funding sources.

(2) A copy of an agreement signed by the partners in the proposed project, identifying the responsibilities of each partner in the project. The agreement can be either—

(i) A consortium agreement that meets the requirements of 34 CFR 75.128, if each of the entities are eligible entities under this program; or

(ii) Another form of partnership agreement, such as a memorandum of understanding or a memorandum of agreement, if not all the partners are eligible entities under this program.

(3) A plan, which includes measurable objectives, to evaluate reaching the project goal or goals.

§ 263.23 What is the Federal requirement for Indian hiring preference that applies to these grants?

(a) Awards that are primarily for the benefit of Indians are subject to the provisions of section 7(b) of the Indian Self-Determination and Education Assistance Act (Pub. L. 93-638). That section requires that, to the greatest extent feasible, a grantee—

(1) Give to Indians preferences and opportunities for training and employment in connection with the administration of the grant; and

(2) Give to Indian organizations and to Indian-owned economic enterprises, as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452(e)), preference in the award of contracts in connection with the administration of the grant.

(b) For purposes of this section, an Indian is a member of any federally recognized Indian tribe.

(Authority: 25 U.S.C. 450b, 450e(b)).

PART 270—DESEGREGATION OF PUBLIC EDUCATION

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AUTHORITY: 42 U.S.C. 2000c-2000c-5, unless otherwise noted.

SOURCE: 52 FR 24963, July 1, 1987, unless otherwise noted.

§ 270.1 What are the Desegregation of Public Education Programs?

The Desegregation of Public Education Programs provide grants to projects that help public school districts and personnel in the preparation, adoption, and implementation of plans for the desegregation of public schools and in the development of effective methods of coping with special educational problems occasioned by desegregation.

(Authority: 42 U.S.C. 2000c-2000c-5)

§ 270.2 What regulations apply to these programs?

The following regulations apply to these programs:

(a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR part 75 (Direct Grant Programs), part 77 (Definitions That Apply to Department Regulations), part 79 (Intergovernmental Review of Department of Education Programs and Activities), and part 81 (General Education Provisions Act—Enforcement), except that 34 CFR 75.200 through 75.217 (relating to the evaluation and competitive review of grants) do not apply to grants awarded under 34 CFR part 271 and 34 CFR 75.232 (relating to the cost analysis) does not apply to grants under 34 CFR part 272.

(b) The regulations in this part and in 34 CFR parts 271 and 272.

(c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted in 2 CFR part 3474 and the OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2

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CFR part 180, as adopted in 2 CFR part 3485.

(Authority: 42 U.S.C. 2000c-2000c-2, 2000c-5)

[52 FR 24963, July 1, 1987, as amended at 79 FR 76096, Dec. 19, 2014]

§ 270.3 What definitions apply to these programs?

In addition to the definitions in 34 CFR 77.1, the following definitions apply to the regulations in this part:

Desegregation assistance means the provision of technical assistance (including training) in the areas of race, sex, and national origin desegregation of public elementary and secondary schools.

(Authority: 42 U.S.C. 2000c-2000c-2, 2000c-5)

Desegregation assistance areas means the areas of race, sex, and national origin desegregation.

(Authority: 42 U.S.C. 2000c-2000c-2, 2000c-5)

Desegregation Assistance Center means a regional desegregation technical assistance and training center funded under 34 CFR part 272.

(Authority: 42 U.S.C. 2000c-2000c-2, 2000c-5)

Limited English proficiency has the same meaning under this part as the same term defined in 34 CFR 500.4 of the General Provisions regulations for the Bilingual Education Program.

(Authority: 20 U.S.C. 3223(a)(1))

National origin desegregation means the assignment of students to public schools and within those schools without regard to their national origin, including providing students of limited English proficiency with a full opportunity for participation in all educational programs.

(Authority: 42 U.S.C. 2000c(b))

Public school means any elementary or secondary educational institution operated by a State, subdivision of a State, or governmental agency within a State, or operated wholly or predominantly from or through the use of governmental funds or property, or funds or property derived from governmental sources.

(Authority: 42 U.S.C. 2000c(c))

Public school personnel means school board members and persons who are employed by or who work in the schools of a responsible governmental agency, as that term is defined in this section.

(Authority: 42 U.S.C. 2000c(c); 2000c-2000c-2, 2000c-5)

Race desegregation means the assignment of students to public schools and within those schools without regard to their race including providing students with a full opportunity for participation in all educational programs regardless of their race. "Race desegregation" does not mean the assignment of students to public schools to correct conditions of racial separation that are not the result of State or local law or official action.

(Authority: 42 U.S.C. 2000c(b))

Responsible governmental agency means any school board, State, municipality, school district, or other governmental unit legally responsible for operating a public school or schools.

(Authority: 42 U.S.C. 2000c-2)

School board means any agency or agencies that administer a system of one or more public schools and any other agency that is responsible for the assignment of students to or within that system.

(Authority: 42 U.S.C. 2000c(d))

Sex desegregation means the assignment of students to public schools and within those schools without regard to their sex including providing students with a full opportunity for participation in all educational programs regardless of their sex.

(Authority: 42 U.S.C. 2000c(b))

§ 270.4 What types of projects are funded under these programs?

The Secretary may fund—

(a) State Educational Agency (SEAs) projects; and

(b) Desegregation Assistance Centers (DACs).

(Authority: 42 U.S.C. 2000c-2000c-2, 2000c-5)